

Amendment No. 1 to SB1846

Bailey
Signature of Sponsor

AMEND Senate Bill No. 1846

House Bill No. 1843*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-7-1003(a)(6), is amended by deleting subdivision (C) and substituting:

(C) Notwithstanding subdivisions (a)(6)(A) and (B), includes Health Insurance Portability and Accountability Act (HIPAA) (42 U.S.C. § 1320d et seq.) compliant audio-only conversation for the provision of:

(i) Behavioral health services when the means described in subdivision (a)(6)(A) are unavailable; and

(ii) Healthcare services when the means described in subdivision (a)(6)(A) are unavailable;

SECTION 2. Tennessee Code Annotated, Section 56-7-1003, is amended by adding the following as a new subsection:

(k) A healthcare provider, office staff, or party acting on behalf of the healthcare provider submitting for reimbursement of an audio-only encounter under subdivision (a)(6)(C)(ii) shall:

(1) Confirm and maintain documentation that the patient:

(A) Does not own the video technology necessary to complete an audio-video provider-based telemedicine encounter;

(B) Is at a location where an audio-video encounter cannot take place due to lack of service; or

(C) Has a physical disability that inhibits the use of video technology; and

(2) Notify the patient that the financial responsibility for the audio-only encounter will be consistent with the financial responsibility for other in-person or video encounters, prior to the audio-only telemedicine encounter.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.